



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-क

वर्ष ४, अंक २२]

शुक्रवार, मे २५, २०१८/ज्येष्ठ ४, शके १९४०

[पृष्ठे २ किंमत : रुपये १.००

असाधारण क्रमांक ३७

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिकाऱ्यांनी तयार केलेले
(भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर)
वैधानिक नियम व आदेश ; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क),
जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील
इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

GENERAL ADMINISTRATION DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 25th May 2018

NOTIFICATION

No. BIE-2018/C.R.426/18/XXXIII.— In pursuance of provision of section 30 read with section 153 of Representation of People Act, 1951 the following is published for General Information :—

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road,

New Delhi 110001, dated 25th May 2018
Jyaistha 4, 1940 (Saka)

NOTIFICATION

No. 322/MT-LC/2018 (LACs).—WHEREAS, the Commission, vide its Notification No.322/MT-LC/2018 (LACs), dated 26th April 2018, had notified the schedule for the biennial election to the Maharashtra Legislative Council from six Local Authorities' Constituencies including Osmanabad-cum-Latur-cum-Beed Local Authorities' Constituency; and

WHEREAS, the poll for the above election was taken on 21st May, 2018 and the date of completion of the election was fixed on 29th May, 2018; and

WHEREAS, on receipt of some references from Collector and ERO, Parbhani and Collector, Beed seeking clarification in terms of eligibility of voters who are disqualified/resigned after the last date of filing nomination i.e. on 3rd May, 2018 to cast votes for Local Authorities' Constituency election and the Commission clarified the legal position *vide* its letter number 322/LET/ECI/FUNC/MT-LC-LAC/BIEN/2018, dated 19th May, 2018; and

WHEREAS, the Hon'ble Bombay High Court, Aurangabad Bench has passed an Order dated 20th May 2018 in W.P. No. 14748/2018 in the matter of **Ganesh S/o Laxmanrao Waghmare and Ors vs The State of Maharashtra and Ors** that "In case the difference of votes between the candidate who secures *highest number of votes and the candidate securing second highest number of votes is more than the number of votes cast by respondents No. 5 to 14 to the Writ Petition who are members of Municipal Council, Beed (total 10 members), the Returning Officer may declare the result and if the number of votes cast to candidate securing highest votes and the candidate securing second highest votes is less than the number of votes cast by the respondents No. 5 to 14, the result of the election shall not be declared until further orders of this court.*" ;

WHEREAS, the Commission considers that the provisions of Article 329(b) of the Constitution which, *inter alia*, provides that no election to either house of Parliament or State Legislature shall be called in question except by means of Election Petition, need to be placed before the Hon'ble High Court in the context of the above mentioned interim Order dated 20th May 2018 before taking up counting of votes in the said constituency ; and

WHEREAS, the Commission after taking into consideration the above developments has decided to extend the date for completion of election in the case of Osmanabad-Latur-Beed Local Authorities Constituency to **11th June, 2018** ; and

WHEREAS, the Commission has already extended the **date of counting of votes** in respect of the said Constituency ; and

Now, therefore, the Commission, in exercise of its powers conferred under section 30 read with section 153 of the Representation of the People Act, 1951, hereby directs that the following amendments shall be made in its Notification No. 322/MT-LC/2018 (LACs), dated 26th April, 2018, namely :—

For the existing entry (e) of clause (A) following entry shall be substituted:

"(e) 11th June, 2018 as the date before which the election shall be completed".

By Order,

R. K. SRIVASTAVA,
Sr. Principal Secretary.

A. N. VALVI,
Deputy Secretary and Joint Chief Electoral Officer,
Maharashtra State.

क्रमांक बीआयई-२०१८/प्र.क्र. ४२६/१८/३३,

सामान्य प्रशासन विभाग

मादाम कामा रोड, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई ४०० ०३२,

दिनांक २५ मे २०१८.

प्रत माहिती व योग्य कार्यवाहीसाठी अग्रेषित :

- (१) प्रधान सचिव, महाराष्ट्र विधानमंडळ सचिवालय, विधान भवन, मुंबई.
- (२) विभागीय आयुक्त, औरंगाबाद विभाग.
- (३) निवडणूक निर्णय अधिकारी, उस्मानाबाद-तथा-लातूर-तथा-बीड स्थानिक प्राधिकारी मतदारसंघ.
- (४) उप जिल्हाधिकारी तथा उप जिल्हानिवडणूक अधिकारी, उस्मानाबाद.
- (५) निवडनस्ती.

शि. म. धुळे,

अवर सचिव व उप मुख्य निवडणूक अधिकारी,
महाराष्ट्र राज्य.